

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALEXIS MONTERO, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

CITY OF MOUNT VERNON, NEW YORK; and
DEBORAH REYNOLDS, in her official capacity
as Comptroller for the City of Mount Vernon,
New York,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/14/2022

**STIPULATION AND
TOLLING AGREEMENT**

No. 21-CV-1924-NSR

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for Plaintiff Alexis
Montero, individually and on behalf of all others similarly situated (collectively "Plaintiffs"), and
counsel for Defendants City of Mount Vernon, New York, and Deborah Reynolds, in her official
capacity as Comptroller for the City (collectively "Defendants"), that:

The statute of limitations for claims under the Fair Labor Standards Act for all hourly
non-exempt employees of Defendant City who worked in excess of 40 hours per week during
one or more workweeks but who did not receive the overtime compensation to which they
were entitled on their regular pay day for the period in which the overtime hours were worked,
or at all, is tolled from October 13, 2021, through June 13, 2022 ("Tolling Period"). During the
Tolling Period, it is agreed that all discovery requests and the negotiation of a proposed

scheduling order will be stayed and the parties shall work in good faith toward a resolution of the action.

DATED: April 13, 2022

871

Brian J. LaClair, Esq.
Blitman & King LLP
Attorneys for Plaintiff
Office and Post Office Address
Franklin Center, Suite 300
443 North Franklin Street
Syracuse, NY 13204

/s/ William O. Wagstaff III

William O. Wagstaff III, Esq.
The Wagstaff Firm, P.C.
Attorneys for Defendants
Office and Post Office Address
75 S. Broadway Suite 400
White Plains, NY 10601

SO ORDERED:



Hon. Nelson S. Román

Dated: April 14, 2022
White Plains, NY